

CONSUMER LAW ATTORNEY FEE SURVEY

2007

Conducted By

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Introduction

This report publishes the results of the Consumer Law Attorney Fee Survey, 2007. Two new facets have been added this year.

First, a "Summary Profile of the Typical US Consumer Law Attorney" has been added. It is a collective approach to the entire survey results, yielding a picture of the typical US Consumer Law practitioner scenario.

Second, a table of "Regional Median Summaries" has been added, reporting not just a median analysis (which is itself entirely new to the survey), but also the results of all of the survey questions on a localized, regional approach.

Prior studies have shown that the factors most influencing an hourly rate are an attorney's years in practice, location of practice, and size of firm. For that reason the concentration of practice tables previously compiled, while providing useful information at the time, are being dropped this year, in favor of the more detailed data provided by the Regional Median Summaries of each of the 12 regions in the survey.

In compiling this report, members of the National Association of Consumer Advocates and Consumer Law attorneys across the United States and its territories were invited to participate during the early Fall of 2007.

Information was collected for the individual's most commonly used data as of November 2007. As previously, an on-line survey service was utilized to gather and tabulate the results.

Similar studies were undertaken in 2000, 2001, 2003, 2004, and 2005. The objectives of these studies were to determine, among other things, the demographics of Consumer Law practitioners, including attorney hourly billing rate, firm size, years in practice, concentration of practice, primary and secondary practice area prevalence, paralegal billing rates and other data.

The collected information has been condensed into this reference to provide benchmarks to assist Consumer Law attorneys as they manage

their practice. Because of the increasing involvement of paralegals and law clerks in non-administrative day to day aspects of legal practice, data is also compiled on regional paralegal hourly rates.

The data is reported in several tables below, allowing the reader to consider the data from the viewpoint of a selected factor or criteria, such as the number of years practicing Consumer Law.

Methodology

Survey results are based on an on-line survey fielded during August and November 2007, consisting of 9 key data questions. The entire active membership of the National Association of Consumer Advocates (except for persons employed in public employment or education) along with other known Consumer Law practitioners from around the United States, with e-mail addresses was surveyed. Invitations to participate were also randomly sent to attorneys disclosed through internet search engine results conducted on a national level as well as randomly selected physical telephone book specialty listings where available.

To help practitioners understand and interpret the data below, a brief explanation of the data may help.

The Average and the Median: What it Means to You

This year we introduce a new analysis methodology intended to give a different perspective on the data, the Median number analysis. For that reason, the tables below used some terms whose definition may not be clear to most Consumer Law practitioners.

The "average" (sometimes called the arithmetic average) is calculated by adding the values of all responses, then dividing by the number of responses.

Example: Five responses are reported, 3, 4, 6, 7 and 8. The average is calculated by adding their values ($3 + 4 + 5 + 6 + 7 + 8 = 33$), then dividing

by the number of responses (5). Thus, the average is $33 / 5 = 6.6$.

The median is the middle value of a series of values, which is initially rank-ordered from low to high. By definition, half the numbers are greater and half are less than the median. Both mean and median values are used in this survey report as a pointer for the "central area" of survey results without regard to the average. Statisticians variously agree that using the median as a statistic reduces the effect of extreme outer numbers (extremely high or low values, such as 25 in the above example). Using an average takes all numbers into accounting.

Example: Five responses are reported, 3, 4, 6, 7 and 8. The median is the middle number of the order of distribution, 6. The average of this same distribution of numbers is 6.6.

The median literally is the value in the middle. It represents the mid way point in a sequence of numbers. Half the numbers in the list are above it and half are below it. It is determined by lining up the values in the set of data (in this fee survey that would be all of the individual fee rate responses logged in the survey) from the smallest on up to the largest. The one in the dead-center is the median number.

The median is not the average of the numbers (you don't add anything) in the list, but merely the center of the list. Some statisticians say that using the mean (instead of the average) gives less weight to the individual fee rates that are on the outer limits of the survey responses and is more likely to direct the survey to the "real" center of the responses.

Because the median number is commonly not the same as the average number, being either slightly above or below it, we are including both results in this year's survey results.

Geographic Areas Defined

The data has been compiled in twelve geographic regions, including several states identified as their own "region." This is loosely based on a combination of three factors: the Altman-Weil regional tables, the quantity

of Consumer Law attorneys that were readily identified as practicing in each state, and the geographic proximity of any one state to a nearby overall region.

| | |
|-----------------|--|
| Atlantic: | DC, DE, NC, NJ, PA, VA, WV |
| California | |
| Florida | |
| Mid West: | IA, IL, IN, KS, MI, MN, MO, ND, NE, SD, WI |
| New York | |
| North East: | CT, MA, MD, ME, NH, RI, VT |
| Ohio | |
| Pacific: | AK, HI, OR, WA |
| South: | AL, AR, GA, KY, LA, MS, OK, SC, TN |
| Texas | |
| US Territories: | Puerto Rico, Guam, American Samoa, US Virgin Islands |
| West: | AZ, CO, ID, MT, NM, NV, UT, WY |

Interpreting the Findings

An hourly rate is impacted by several factors, including years of practice, firm size, practice location, degree of practice concentration, reputation, advertising, personal client relationships, and other factors. As a result, the information presented here is for informational purposes only and may or may not be indicative of a particular attorney's reasonable hourly rate without further, more detailed analysis of the available and other data.

The Regional Median Summaries table is presented to give an overview of the practice on Consumer Law lawyers in each region, but note the use of the median in this section to reduce the effect of extremely high or low values in some data.

Where necessary, absent or insufficient data is represented by a dash mark instead of a numerical entry in the column.

Summary Profile of the Typical US Consumer Law Attorney

This section summarizes key statistics derived from the survey. Emphasis here is on the “average” Consumer Law attorney in the United States with respect to hourly billing rates and other survey factors.

The typical Consumer Law attorney is in a small office of 4 or fewer practitioners and has been practicing law for 15 to 16 years. 83% of their practice consists of Consumer Law issues with the practice supplemented by either Personal Injury or Bankruptcy cases.

The typical Consumer Law firm employs 1 paralegal (1.4 to be exact) whose hourly billable rate is \$93.25.

The average hourly rate for the typical Consumer Law attorney (regardless of all other factors) is \$307.

The median Attorney hourly rate is \$308. The median 25% Attorney hourly rate (the point at which 25% of all survey participants reported an hourly rate lower than this number) is \$244. The median 75% Attorney hourly rate is \$365. Only 5% of survey participants reported an hourly rate higher than \$465.

The typical firm has not changed their hourly rates in the last 14.75 months.

Regional Table for All Firms

This Table does not take into consideration the factors of the degree of concentration or years of practice, among other things, all of which will have a large impact on any particular person's hourly rate.

| Region: | % of Total Survey Responses From This Region: | Small Firm % of Region (<5) | Large Firm % of Region (>5) | Small Firm Average Attorney Rate In this Region | Large Firm Average Attorney Rate In this Region | Small Firm Average Paralegal Rate In this Region | Large Firm Average Paralegal Rate In this Region |
|--|---|-----------------------------|-----------------------------|---|---|--|--|
| Atlantic (DC DE NC NJ PA VA WV) | 10 | 81 | 19 | 313 | 417 | 108 | 121 |
| California | 22 | 75 | 25 | 372 | 445 | 141 | 140 |
| Florida | 6.5 | 76 | 24 | 339 | 375 | 98 | 131 |
| Mid West (IA IL IN KS MI MN MO ND NE SD WI) | 16 | 60 | 40 | 323 | 274 | 110 | 126 |
| New York | 4 | 79 | 21 | 363 | 358 | 115 | 112 |

| Region: | % of Total Survey Responses From This Region: | Small Firm % of Region (<5) | Large Firm % of Region (>5) | Small Firm Average Attorney Rate In this Region | Large Firm Average Attorney Rate In this Region | Small Firm Average Paralegal Rate In this Region | Large Firm Average Paralegal Rate In this Region |
|---|---|-----------------------------|-----------------------------|---|---|--|--|
| North East (CT MA MD ME NH RI VT) | 4 | 71 | 29 | 298 | 425 | 115 | 108 |
| Ohio | 10 | 94 | 7 | 269 | 412 | 113 | - |
| Pacific (AK HI OR WA) | 4.6 | 93 | 7 | 268 | 350 | 96 | 150 |
| South (AL AR GA KY LA MS OK SC TN) | 8.7 | 82 | 18 | 292 | 225 | 94 | 100 |
| Texas | 6 | 90 | 10 | 291 | 425 | 88 | 125 |
| US Territories | 1 | 100 | - | 200 | - | 75 | - |
| West (AZ CO ID MT NM NV UT WY) | 6.8 | 77 | 23 | 287 | 275 | 113 | 100 |

Regional Years in Practice Table

Atlantic Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 219 |
| 3-5 | 263 |
| 6-10 | 300 |
| 11-15 | 425 |
| 16-20 | 350 |
| 21-25 | 375 |
| 26-30 | 375 |
| >31 | 400 |

California Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | 175 |
| 1-3 | 290 |
| 3-5 | 333 |
| 6-10 | 367 |
| 11-15 | 383 |
| 16-20 | 450 |
| 21-25 | 297 |
| 26-30 | 450 |
| >31 | 471 |

Florida Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | 250 |
| 1-3 | 250 |
| 3-5 | - |
| 6-10 | 320 |
| 11-15 | 338 |
| 16-20 | 338 |
| 21-25 | 350 |
| 26-30 | 350 |
| >31 | 483 |

Mid West Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | 250 |
| 1-3 | 225 |
| 3-5 | 254 |
| 6-10 | 289 |
| 11-15 | 394 |
| 16-20 | 270 |
| 21-25 | 322 |
| 26-30 | 350 |
| >31 | 290 |

New York Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 225 |
| 3-5 | - |
| 6-10 | 275 |
| 11-15 | 350 |
| 16-20 | 350 |
| 21-25 | 340 |
| 26-30 | 325 |
| >31 | 463 |

North East Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | - |
| 3-5 | 100 |
| 6-10 | 267 |
| 11-15 | 325 |
| 16-20 | 338 |
| 21-25 | - |
| 26-30 | 392 |
| >31 | 400 |

Ohio Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | 175 |
| 1-3 | 233 |
| 3-5 | - |
| 6-10 | 225 |
| 11-15 | 318 |
| 16-20 | 308 |
| 21-25 | 275 |
| 26-30 | 256 |
| >31 | 290 |

Pacific Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 150 |
| 3-5 | - |
| 6-10 | 238 |
| 11-15 | 292 |
| 16-20 | 325 |
| 21-25 | 338 |
| 26-30 | 258 |
| >31 | 338 |

South Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 225 |
| 3-5 | 275 |
| 6-10 | 325 |
| 11-15 | 246 |
| 16-20 | 263 |
| 21-25 | 425 |
| 26-30 | 275 |
| >31 | 333 |

Texas Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 200 |
| 3-5 | 225 |
| 6-10 | 275 |
| 11-15 | 225 |
| 16-20 | 275 |
| 21-25 | 308 |
| 26-30 | 275 |
| >31 | 433 |

West Region Firms

| Years Practicing Consumer Law | Average Attorney Hourly Rate |
|--|---|
| <1 | - |
| 1-3 | 275 |
| 3-5 | 242 |
| 6-10 | 250 |
| 11-15 | 325 |
| 16-20 | 325 |
| 21-25 | 325 |
| 26-30 | 288 |
| >31 | 375 |

Regional Median Summaries

Explanation of Tables

| | |
|--|---|
| Firm Size | <5 means fewer than 5 attorneys in the law firm size. >5 means 5 or more attorneys in the law firm size. |
| Years in Practice | The median number of years that all attorneys in this region have been in practice. |
| Concentration of Practice in Consumer Law | Expressed as a percentage, ranges are avoided where possible in preference to a specific result. |
| Primary Practice Area | The area comprising at least 50% of the practice. |
| Secondary Practice Area | The largest practice area outside of Consumer Law. Where no one area dominates a dash is entered in the table. |
| Number of Paralegals in Firm | The median number resulting from all survey responses. |
| Last Time Rate Change Occurred (months) | Expressed in months, ranges are avoided where possible in preference to a specific result. |
| Median Paralegal Rate for All Paralegals | Expressed in dollars, ranges are avoided where possible in preference to a specific result. |
| Average Attorney Rate for All Attorneys | Expressed in dollars, ranges are avoided where possible in preference to a specific result. Note that this is not the "median." |
| 25% Median Attorney Rate for All Attorneys | 25% of all survey responses are below this number, expressed in dollars. |
| Median Attorney Rate for All Attorneys | Half of all survey responses are above this number and half below, expressed in dollars. |
| 75% Median Attorney Rate for All Attorneys | 75% of all survey responses are below this number, expressed in dollars. |
| 95% Median Attorney Rate for All Attorneys | 5% of all survey responses are above this number, expressed in dollars. |

Atlantic

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 25 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | - |
| Number of Paralegals in Firm | 3 |
| Last Time Rate Change Occurred (months) | 7-11 |
| Median Paralegal Rate for All Paralegals | 100-124 |
| Average Attorney Rate for All Attorneys | 343 |
| 25% Median Attorney Rate for All Attorneys | 245 |
| Median Attorney Rate for All Attorneys | 412 |
| 75% Median Attorney Rate for All Attorneys | 400 |
| 95% Median Attorney Rate for All Attorneys | 475 |

California

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 11-15 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Other |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12 |
| Median Paralegal Rate for All Paralegals | 125-149 |
| Average Attorney Rate for All Attorneys | 394 |
| 25% Median Attorney Rate for All Attorneys | 312 |
| Median Attorney Rate for All Attorneys | 350-374 |
| 75% Median Attorney Rate for All Attorneys | 450 |
| 95% Median Attorney Rate for All Attorneys | 575 |

Florida

| | |
|--|-----------------|
| Firm Size | <5 |
| Years in Practice | 11-15 |
| Concentration of Practice in Consumer Law | 90 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Personal Injury |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 100 |
| Average Attorney Rate for All Attorneys | 348 |
| 25% Median Attorney Rate for All Attorneys | 262 |
| Median Attorney Rate for All Attorneys | 325-349 |
| 75% Median Attorney Rate for All Attorneys | 388 |
| 95% Median Attorney Rate for All Attorneys | 432 |

Mid West

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 14 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Bankruptcy |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 110 |
| Average Attorney Rate for All Attorneys | 304 |
| 25% Median Attorney Rate for All Attorneys | 252 |
| Median Attorney Rate for All Attorneys | 275 |
| 75% Median Attorney Rate for All Attorneys | 350 |
| 95% Median Attorney Rate for All Attorneys | 450 |

New York

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 21 |
| Concentration of Practice in Consumer Law | 60-69 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Bankruptcy |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 100 |
| Average Attorney Rate for All Attorneys | 363 |
| 25% Median Attorney Rate for All Attorneys | 255 |
| Median Attorney Rate for All Attorneys | 325 |
| 75% Median Attorney Rate for All Attorneys | 390 |
| 95% Median Attorney Rate for All Attorneys | 575 |

North East

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 20 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Other |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12 |
| Median Paralegal Rate for All Paralegals | 75-99 |
| Average Attorney Rate for All Attorneys | 334 |
| 25% Median Attorney Rate for All Attorneys | 275 |
| Median Attorney Rate for All Attorneys | 325 |
| 75% Median Attorney Rate for All Attorneys | 440 |
| 95% Median Attorney Rate for All Attorneys | 488 |

Ohio

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 11-15 |
| Concentration of Practice in Consumer Law | 70-79 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Bankruptcy |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 75-99 |
| Average Attorney Rate for All Attorneys | 260 |
| 25% Median Attorney Rate for All Attorneys | 210 |
| Median Attorney Rate for All Attorneys | 250 |
| 75% Median Attorney Rate for All Attorneys | 300 |
| 95% Median Attorney Rate for All Attorneys | 425 |

Pacific

| | |
|--|-----------------|
| Firm Size | <5 |
| Years in Practice | 11-15 |
| Concentration of Practice in Consumer Law | 60-69 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Personal Injury |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 7-11 |
| Median Paralegal Rate for All Paralegals | 75 |
| Average Attorney Rate for All Attorneys | 273 |
| 25% Median Attorney Rate for All Attorneys | 209 |
| Median Attorney Rate for All Attorneys | 250 |
| 75% Median Attorney Rate for All Attorneys | 320 |
| 95% Median Attorney Rate for All Attorneys | 388 |

South

| | |
|--|-----------------|
| Firm Size | <5 |
| Years in Practice | 16-20 |
| Concentration of Practice in Consumer Law | 90 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Personal Injury |
| Number of Paralegals in Firm | 2 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 75 |
| Average Attorney Rate for All Attorneys | 282 |
| 25% Median Attorney Rate for All Attorneys | 207 |
| Median Attorney Rate for All Attorneys | 250 |
| 75% Median Attorney Rate for All Attorneys | 300 |
| 95% Median Attorney Rate for All Attorneys | 425 |

Texas

| | |
|--|--------------|
| Firm Size | <5 |
| Years in Practice | 16-20 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Bankruptcy |
| Number of Paralegals in Firm | 1 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 75-99 |
| Average Attorney Rate for All Attorneys | 305 |
| 25% Median Attorney Rate for All Attorneys | 212 |
| Median Attorney Rate for All Attorneys | 275 |
| 75% Median Attorney Rate for All Attorneys | 350 |
| 95% Median Attorney Rate for All Attorneys | 575 |

US Territories

| | |
|--|------------------|
| Firm Size | <5 |
| Years in Practice | 11-15 |
| Concentration of Practice in Consumer Law | 20-29 |
| Primary Practice Area | Bankruptcy |
| Secondary Practice Area | General Practice |
| Number of Paralegals in Firm | 2 |
| Last Time Rate Change Occurred (months) | 12-24 |
| Median Paralegal Rate for All Paralegals | 50-74 |
| Average Attorney Rate for All Attorneys | 200 |
| 25% Median Attorney Rate for All Attorneys | - |
| Median Attorney Rate for All Attorneys | 200 |
| 75% Median Attorney Rate for All Attorneys | - |
| 95% Median Attorney Rate for All Attorneys | - |

West

| | |
|--|-----------------|
| Firm Size | <5 |
| Years in Practice | 6-10 |
| Concentration of Practice in Consumer Law | 90-100 |
| Primary Practice Area | Consumer Law |
| Secondary Practice Area | Personal Injury |
| Number of Paralegals in Firm | 2 |
| Last Time Rate Change Occurred (months) | 7-11 |
| Median Paralegal Rate for All Paralegals | 75-99 |
| Average Attorney Rate for All Attorneys | 285 |
| 25% Median Attorney Rate for All Attorneys | 250 |
| Median Attorney Rate for All Attorneys | 250-274 |
| 75% Median Attorney Rate for All Attorneys | 320 |
| 95% Median Attorney Rate for All Attorneys | 363 |

Note: Recommendations for Future Survey Data

As always, we welcome your Recommendations on improving the survey to gather additional useful information for Consumer Law practitioners. Please email your Recommendations to Ron@TheLawCoach.com.

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